

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA  
ABINGDON DIVISION

CLERK'S OFFICE U.S. DIST. COURT  
AT ABINGDON, VA  
FILED

MAR 30 2006

JOHN F. CORCORAN, CLERK  
BY: *[Signature]*  
DEPUTY CLERK

JEANNE RENEE HARRIS,  
Plaintiff

v.

Civil Action No. 1:05CV00017

WAL-MART,  
Defendant,  
Third-Party Plaintiff,

v.

CHILDRESS, INC.,  
Third-Party Defendant.

FINAL JUDGMENT AND ORDER

This case was referred pursuant to 28 U.S.C. § 636(b)(1)(B) to the Honorable Pamela Meade Sargent, United States Magistrate Judge. The Magistrate Judge has filed a report recommending that the Court grant Wal-Mart's Motion, (Docket Item No. 33), and enter summary judgment in its favor on Mrs. Harris's negligence claim and that the court dismiss Wal-Mart's claim against Childress as moot. Objections to the report and recommendation have been filed, and the court, upon *de novo* review of the record, is of the opinion that the report should be adopted. It is, accordingly,

**ADJUDGED and ORDERED**

that the defendant should be GRANTED summary judgment, plaintiff's motion in opposition to defendants' motion for summary judgment shall be and is hereby DENIED, and third-party defendants' motion for summary judgement is hereby declared MOOT.

The Clerk is directed to send certified copies of this Order to all counsel of record.

The Clerk is directed to close the case.

ENTER: March 28<sup>th</sup>, 2006.

Glen M. Wilkins  
SENIOR UNITED STATES DISTRICT JUDGE